IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL, CIVIL JURISDICTION

WRIT **PETITION NO.227 OF 2006**

Sudhakar M. Dhokane (HUF) & Ors...Petitioners

Vs.

The Bank of Baroda & Ors. ..Respondents

Ms. Madhavi Diwan i/b. Mahesh Jani & Co., for the Petitioner.
Mr. Jayesh Patel for the Respondent No.1
Mr. S.S.Pakale, for respondent No.2.

CORAM: **F.I. REBELLO &**
ANOOP V. MOHTA**, JJ.**
DATE: 7TH NOVEMBER,2006

P.C.

. Rule. Heard forthwith.

2. It was the case of the petitioners that the respondent No.3 had to pay the difference in tax and maintenance charges if there was an increase in the taxes by the Municipal Corporation during the licence period.In fact there was an increase which amounted to Rs.42,31,009/-. As the respondent No.3 has failed to pay the amount the petitioners approached this Court.

3. The respondent No.3 initially deposited a sum of Rs.25,93,203/-. A communication has now been shown to us dated 16th October, 2006 whereby the draft dated 11th October, 2006 in a sum of

Rs.16,37,806/- was drawn in favour of the Prothonotary & Senior Master, High Court, Bombay. The amount works out to Rs.42,21,009/-. Counsel for the respondent No.3 makes a statement that the said amount has been deposited.

4. Considering the above the Prothonotary & Senior Master is directed to issue the cheque in favour of the Municipal Corporation of Greater Bombay on a certified copy of this order being produced, on behalf of Respondent Nos. 4 to 7. The said amount to be adjusted towards the dues which were claimed against the petitioners herein.

5. As the amount has been deposited nothing further survives in this petition. The Petition disposed of accordingly. There shall be no order as to costs.

(F.I. REBELLO, J)

(ANOOP V. MOHTA J).